PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY -AUGUST , 10 , 1976

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers Tuesday evening August 10 A.D., 1976, in Regular Session. President James S. Stier in the chair, and Charles W. Westerman Clerk, at the desk, present the following members viz:

BURNS ✓, HINGA ✓, HUNTER ✓,
MOSES ✓, NUCKOLS ✓, DONALD SCHMIDT ✓,
VIVIAN SCHMIDT ✓, STIER ✓, TALARICO ✓,

ABSENT

COUNCILMAN , , ,
, , ,

The invocation was given by Reverend ~~Earl Holkeboer - Black Hawk Community Church~~ Andrew Obert - Director of Development Evangelical Mennonite Church.

Received report from the City Controller for the month of , 1976. Motion made and carried that report be made a matter of record and placed on file.

The minutes of the last Regular July 13 & 27 , 1976,
Special , 1976,

Session having been delivered to the Council, were, on motion, approved and published.

FORT WAYNE, INDIANA 46802
office of the mayor

July 28, 1976

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, July 28, 1976, I have approved the following ordinances passed by the Common Council at its regular meeting of July 27, 1976.

(Bill NO. A-76-05-24)
APPROPRIATION ORDINANCE NO. A-31-76

AN ORDINANCE transferring certain funds from the Fort Wayne Firefighting Fund No. 54 into Other Equipment, Account No. 54-730-726

(Bill No. A-76-07-01)
APPROPRIATION ORDINANCE NO. A-32-76

AN ORDINANCE transferring certain funds from MVH to Gasoline in the 1976 Budget of the Street Department

(Bill No. A-76-07-02)
APPROPRIATION ORDINANCE NO. A-33-76

AN ORDINANCE transferring certain funds from Aviation General to Buildings & Fixed Equipment, and repealing Appropriation Ordinance No. A-25-76

(Bill No. A-76-07-03)
APPROPRIATION ORDINANCE NO. A-34-76

AN ORDINANCE transferring certain funds from the Electric Utility Cash Reserve Fund

(Bill No. A-76-07-04)
APPROPRIATION ORDINANCE NO. A-35-76

AN ORDINANCE transferring certain funds from the Electric Utility Cash Reserve Fund to the General Fund

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

(Bill No. A-76-07-05)
APPROPRIATION ORDINANCE NO. A-36-76

AN ORDINANCE appropriating certain funds from the General Fund to the Board of Public Works Construction Account No. 10-660-265

(Bill No. S-76-07-07)
SPECIAL ORDINANCE NO. S-129-76

AN ORDINANCE approving a contract with Meek-Mack, Inc. replacement engine for the Fire Department

(Bill No. S-76-07-08)
SPECIAL ORDINANCE NO. S-130-76

AN ORDINANCE approving the lease/financing of ten fire pumpers for the Fire Department

(Bill No. S-76-07-09)
SPECIAL ORDINANCE NO. S-131-76

AN ORDINANCE approving a contract with Gladieux Refinery, Inc. for fire protection

(Bill No. S-76-07-10)
SPECIAL ORDINANCE NO. S-132-76

AN ORDINANCE approving a contract with Automatic Door Controls for the Board of Public Works

(Bill No. R-76-07-40)
RESOLUTION NO. R-66-76

A RESOLUTION authorizing payment to Ned Keener Construction Co. for repair of sidewalk and curb

(Bill No. Z-76-06-11)
ZONING MAP ORDINANCE NO. Z-10-76)

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD-9

(Bill No. S-76-07-17)
SPECIAL ORDINANCE NO. S-133-76

AN ORDINANCE approving contracts for curb, sidewalk and street repairs for the Board of Public Works

(Bill No. S-76-07-19)
SPECIAL ORDINANCE NO. S-134-76

AN ORDINANCE approving two invoices of Bercot-Gibson Construction Co., Inc. for emergency repairs of sanitary sewers at Delaware Avenue and Spy Run.

(Bill No. S-76-07-20)
SPECIAL ORDINANCE NO. S-135-76

AN ORDINANCE approving a contract with Allen County Motors for a truck for the Water Pollution Control Maintenance Department

(Bill No. S-76-07-21)
SPECIAL ORDINANCE NO. S-136-76

AN ORDINANCE approving blanket purchase orders for materials for the Water Maintenance and Service Department

(Bill No. S-76-07-22)
SPECIAL ORDINANCE NO. S-137-76

AN ORDINANCE approving contracts for the Department of the Board of Public Works

(Bill No. S-76-07-23)
SPECIAL ORDINANCE NO. S-138-76

AN ORDINANCE approving Change Order No. 4 in connection with the Water Pollution Control Expansion Project

Respectfully yours,

Robert E. Armstrong
Mayor

COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

July 28, 1976

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill NO. Z-76-06-10

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of July, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

an equal opportunity employer

COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

July 28, 1976

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-76-06-10

   This ordinance was requested to be WITHDRAWN by written request of the attorney representing the petitioner, as attached to this ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (pr)
Gary F. Baeten
Land Use Administrator

GFB:pr

ATT.

an equal opportunity employer

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 8, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-06-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission scheduled a public hearing on such proposed ordinance on July 19, 1976;

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

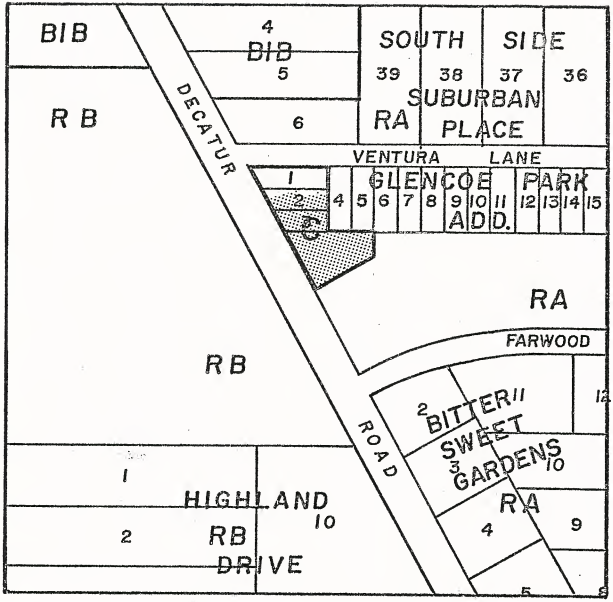
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 19, 1976.

Certified and signed this
28th day of July, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary



CHANGE FROM RI TO BIB

N

B-12
5-21-76
L.S.

MENTOR KRAUS
J.A. BRUGGEMAN
WILLIAM F. MCNAGNY
JAMES M. BARRETT III
J. MICHAEL O'HARA
MILES C. GERBERDING
PAUL S. STEIGMEYER
JOHN M. CLIFTON, JR.
DOUGLAS E. MILLER
ROBERT S. WALTERS
JOHN F. LYONS
N. THOMAS HORTON II
JAMES M. PRICKETT
WAYNE L. WITMER
WILLIAM L. SWEET, JR.
THOMAS M. FINK
GARY J. RICKNER
JOHN D. WALDA

BARRETT, BARRETT & MCNAGNY
LAWYERS
THIRD FLOOR LINCOLN BANK TOWER
FORT WAYNE, INDIANA
46802

JAMES M. BARRETT 1929
PHIL M. MCNAGNY 1969
OTTO E. GRANT, JR. 1969

TELEPHONE 423-9551
AREA CODE 219

JAMES M. BARRETT, JR.
OF COUNSEL

July 13, 1976

Mr. Gary F. Baeten
Fort Wayne City Plan Commission
City County Building
Fort Wayne, Indiana 46802

Re: A-1 Rental Centers South
Bill No. 2-76-06-10

Dear Gary:

As per our meeting of July 13, 1976, this is to confirm that we request that the petition for zoning ordinance amendment captioned above be withdrawn.

We will submit this petition in time for your August 16 public hearing, asking for change from R-1 to B-4 Zoning.

Very truly yours,

BARRETT, BARRETT & MCNAGNY

Wayne L. Witmer

WLW/gd
CC/Norman A. Pontius

COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

July 28, 1976

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held July 26, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-76-06-27

2. From "R1" to "B1B"

3. Intended Use: Expansion of an appliance sales and service store (Legal non-conforming use)

4. Plan Commission Recommendation: DO NOT PASS

   This ordinance received a DO NOT PASS recommendation for the following reason:

   a. The petitioner operates a legal non-conforming appliance sales and service business at the northeast corner of Wells Street and Irene Avenue. This change is not a logical extension of a commercial district. The only commerical use in the block is the one owned by the petitioner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten (pr)
Gary F. Baeten
Land Use Administrator

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

GFB:pr
ATT.

an equal opportunity employer

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 22, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-06-27; and

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 19, 1976;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

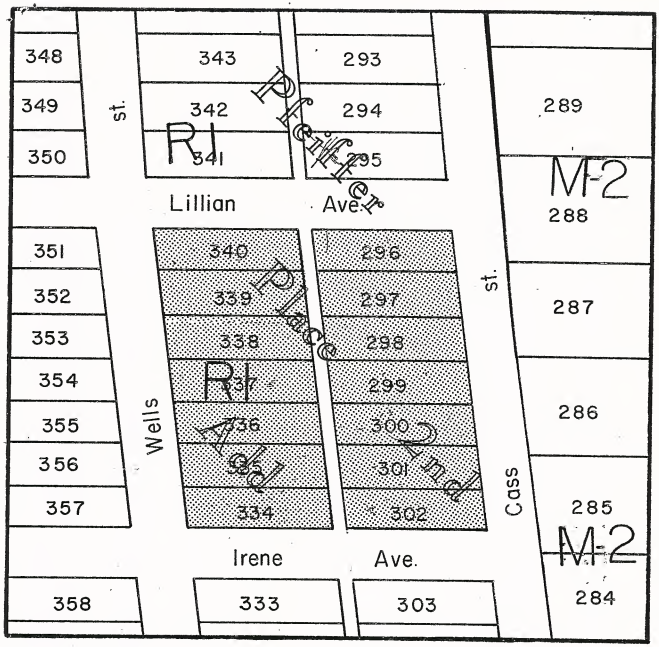
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 26, 1976.

Certified and signed this
28th day of July, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary



To be change from R-I to B-I-B

6-7-76
AA-9
L.S.

N

July 29, 1976

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 62/76/D.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Director of Public Safety

MADE A MATTER OF RECORD
DATE 7-10-76 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 62/76 /D

(Adopted July 29, 19 76)

WHEREAS, Section 20 (a) (2), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 14 of said chapter as so amended delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated July 29, 19 76, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this Board by Section 14 of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby ordered, effective July 29, 19 76, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Riviera Dr. -- preferential -- at Catalina Ave.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 62/76/D.

I hereby certify that I did this 29 day of July, 1976 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 62/76/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted Feb. 14, 1961.

John C. Lewton

EXECUTIVE SECRETARY

FORT WAYNE, INDIANA 46802
office of the mayor

July 30, 1976

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, July 30, 1976, I have approved the following ordinance passed by the Common Council at its regular meeting of July 27, 1976

(Bill No. G-76-04-56)
(AS AMENDED)
GENERAL ORDINANCE NO. G-23-76

AN ORDINANCE licensing and regulating massage establishments and related enterprises.

Respectfully yours,

Robert E. Armstrong
Mayor

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

July 30, 1976

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 63/76/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Director of Public Safety

DATE 8-16-76 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 63/76/E

(Adopted July 30 , 1976)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY) (6:00 PM - 6:00 AM)

; and,

WHEREAS, the City Traffic : Engineer has, by written memorandun dated July 29 , 1976, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective July 30 76 , 19 __, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING 6:00 PM - 6:00 AM (EMERGENCY)

Eade Ave. -- west side -- from 120 ft. south of Stadium Dr. to Fricke Ave.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 63/76/E

I hereby certify that I did this 30 day of July, 1976 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 63/76/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted Feb. 14, 1961.

John C. Newton

EXECUTIVE SECRETARY

JOHN M. STEIN
4405 Engle Road
Fort Wayne, Indiana 46804

AUGUST 3, 1976

MR. JAMES STIER
PRESIDENT, CITY COUNCIL
ONE EAST MAIN STREET
CITY COUNTY BUILDING
FORT WAYNE, INDIANA 46802

MR. STIER:

AS CHAIRMAN OF THE BOARD OF PTC I HAVE RECEIVED THE RESIGNATION OF WALTER C. RAINES. A COPY OF THIS RESIGNATION IS ENCLOSED. AS LONG AS IT TOOK FOR THIS RESIGNATION TO GET TO ME (YOU CAN SEE THAT THE RESIGNATION WAS EFFECTIVE JUNE 1ST), I HOPE THAT YOU CAN REPLACE HIM PROMPTLY.

BY THE WAY, ONE OF OUR EX-BOARD MEMBERS, GERALD HOUSEMAN RETURNS FROM ONE YEAR IN ENGLAND ON AUGUST 26TH. HE WOULD BE A WELCOMED RE-APPOINTMENT AND ADDITION TO OUR BOARD, IF I MAY BE SO BOLD AS TO SUGGEST A POSSIBLE REPLACEMENT FOR MR. RAINES.

IN ANY CASE, THANK YOU FOR YOUR ATTENTION TO THIS MATTER.

JOHN M. STEIN

JMS/LKM

2739 Stardale Dr.
Fort Wayne, Indiana 46816
May 27, 1976

Mr. John Stien
Chairman
Public Transportation Board
801 Leesburg Road
Fort Wayne, Indiana

Dear John:

Regretfully, I must at this time submit my resignation as a member of the Public Transportation Corporation Board of Directors.

I find that I do not have adquate time to fulfill this obligation in a manner in which it should be met; due to school requirements and job responsibilities.

My tenure with PTC has been a very rewarding experience. With you as Chairman and Mark as General Manager, PTC will realize their many goals program-wise and staff-wise.

This is to serve as my official notice of resignation, effective June 1, 1976.

Sincerely,

Walter C. Raines

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

August 4, 1976

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning two (2) alley vacations.

The proposed ordinance is designated as:

Bill No. G-76-06-28

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
4th day of August, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

August 4, 1976

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to an alley vacation ordinance amendment acted upon by the City Plan Commission at their meeting held July 26, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. G-76-06-28

2. Intended use: Vacation of alleys that lie within an urban renewal project. (FORT WAYNE REDEVELOPMENT COMMISSION)

3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a. The Redevelopment Commission currently has a proposal for 142 units of elderly housing on the property surrounding the two alleys.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE BOARD OF PUBLIC WORKS
OF THE CITY OF FORT WAYNE AND
THE CITY PLAN COMMISSION

PETITION TO VACATE ALLEYS

1. That this Petition involves the East/West alley between the East right-of-way line of Harmar Street and the West right-of-way line of King Street lying between Wayne Street and Washington Boulevard.

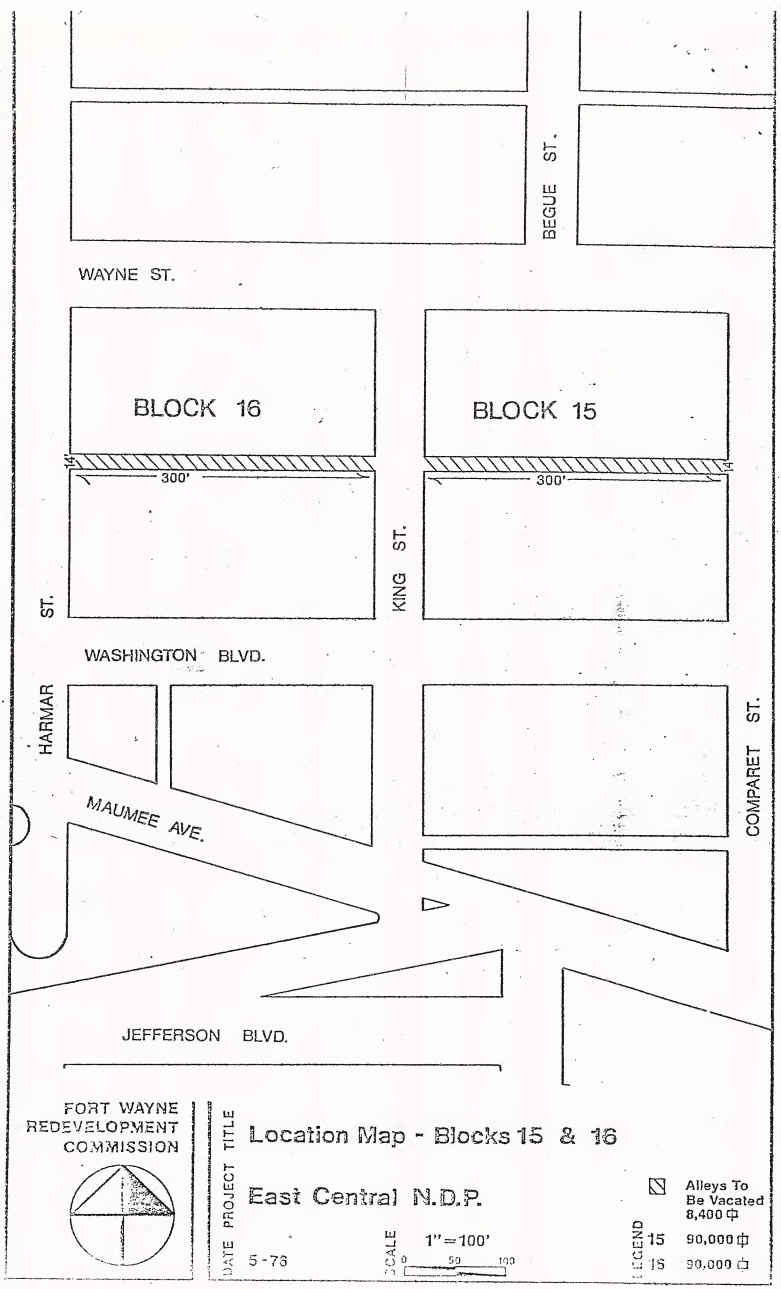
2. That this Petition also involves the East/West alley between the East right-of-way line of King Street and the West right-of-way line of Comparet Street lying between Wayne Street and Washington Boulevard.

3. That the alleys, as they now exist, lie within an urban renewal project for which the Urban Renewal Plan calls for the vacation of said alleys.

WHEREFORE, the undersigned respectfully prays that the alleys be vacated.

CITY OF FORT WAYNE
DEPARTMENT OF REDEVELOPMENT

By _____
Robert P. Turk
Executive Director



FORT WAYNE REDEVELOPMENT COMMISSION

DATE PROJECT TITLE

Location Map - Blocks 15 & 16

East Central N.D.P.

5-76

SCALE 1"=100'

0 50 100

LEGEND

Alleys To Be Vacated 8,400 ☐

15 90,000 ☐

16 90,000 ☐

R E S O L U T I O N

WHEREAS, The Fort Wayne Redevelopment Commission, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys in Allen County, Indiana, to-wit:

1) The east-west alley, extending east from the east right-of-way line of Harmar Street to the west right-of-way line of King Street, lying between Wayne Street and Washington Blvd.

2) The east-west alley, extending east from the east right-of-way line of King Street to the west right-of-way line of Comparet Street, lying between Wayne Street and Washington Blvd.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 19, 1976, at 7:30 P.M. (EST), and at such hearing there were no objections of any kind or character which should prevent the vacation of said alley;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Charles N. Hall, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on Monday, July 19, 1976, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 28th DAY OF July, 1976

FORT WAYNE CITY PLAN COMMISSION

Charles N. Hall
President

August 4, 1976

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 64/76/E & 65/76/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Albert M. Hayden

Director of Public Safety

MADE A MATTER OF RECORD
DATE 8-10-76 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 64/76/E

(Adopted August 4, 1976)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 51/76/E NO PARKING ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandun dated August 3, 1976, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 4 76, 19 __, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING

Miner St. -- west side -- from Walnut St. to Poplar St.
Miner St. -- west side -- from DeWald St. to alley south thereof
DeWald St. -- south side -- from Miner St. to 225 ft. west thereof
Osage St. -- east side -- from Burgess St. to Richardson St.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 64/76/E

I hereby certify that I did this 4 day of August, 1976 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 64/76/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted Feb. 14, 1961.

John C. Keeton

EXECUTIVE SECRETARY

August 4, 1976

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 65/76/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Director of Public Safety

REGULATORY RESOLUTION NO. 65/76/E

(Adopted August 4, 19 76)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 53/76/E

STOP INTERSECTION

; and,

WHEREAS, the City Traffic : Engineer has, by written memorandun dated August 3, 19 76, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 4 76, 19 __, and for a period of sixty (60) days thereafter, and when sigas are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION

Juliette Ave. -- stop -- for Hale Ave.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 65/76/E

I hereby certify that I did this 4 day of August, 1976 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 65/76/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted Feb. 14, 1961.

John C. Leeds

EXECUTIVE SECRETARY

August 6, 1976

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 66/76/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

Director of Public Safety

MADE A MATTER OF RECORD
DATE 8-16-76 CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 66/76E

(Adopted August 6, 1976)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to TRAFFIC SIGNAL EMERGENCY-TEMPORARY ; and,

WHEREAS, the City Traffic Engineer has, by written memorandun dated August 6, 19 76, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective August 6 76, 19 __, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

TRAFFIC SIGNAL EMERGENCY-TEMPORARY

Wakefield Ave. at Clinton St.

RETURN CERTIFICATE

(REGULATORY RESOLUTION NO. 66/76/E

I hereby certify that I did this 6 day of August, 1976 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk, and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 66/76/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55. Adopted Feb. 14, 1961.

John C. Heesdon

EXECUTIVE SECRETARY

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

August 6, 1976

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-05-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed
this 6th day of August, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE
COMMUNITY DEVELOPMENT & PLANNING
division of long range planning and zoning

August 6, 1976

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held June 28, 1976. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-76-05-17

2. From "R2" to "M1"

3. Intended Use: Storage and warehousing of construction material for R. & J. Construction Co., Inc.,

4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

a. The request is a logical extension of an industrial district.

If there are any questions with regard to this ordinance please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

Gary F. Baeten
Gary F. Baeten
Land Use Administrator

GFB:pr
ATT.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 11, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-76-05-17; and

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June 14, 1976;

NOW THEREFORE BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

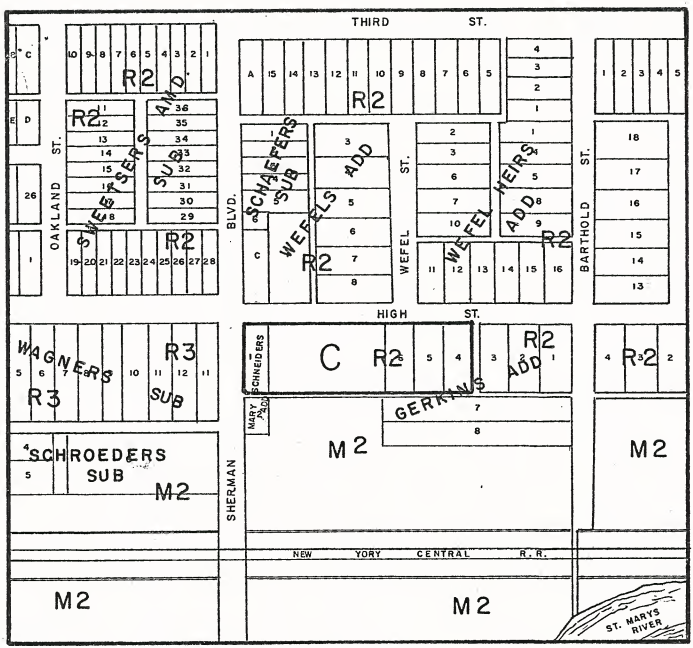
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 28, 1976.

Certified and signed this
6th day of August, 1976.

Joseph N. Adair

Joseph N. Adair
Secretary



"C" CHANGE FROM R2 TO MI

Z-76-05-17

N

DATE DRAWN 4-22-76

MAPS AA-5, BB-5

Pursuant to the request of a State Tax Commission Agent, the Clerk was ordered to attest any action of postponement on approrpiation bills after a Public Hearing. Said action by Council is to be written in the Journal as a permanent record. The following attestation will be filed in the Office of the City Clerk and posted on record.

City of Fort Wayne)
)
County of Allen) ss:
)
State of Indiana)

I, CHARLES W. WESTERMAN, Clerk of the City of Fort Wayne, hereby attest that on the 22nd day of June, 1976, the Common Council of the City of Fort Wayne met in Committee Session relating to Ordinance No. A-27-76 commonly known as the Revenue Sharing Trust Account appropriation. Action was taken by the Common Council of the City of Fort Wayne to defer action regarding passage of said bill to the 13th day of July, 1976, the next regular session.

Charles W. Westerman
Clerk of the City of Fort Wayne

August 6, 1976

FORT WAYNE, INDIANA 46802
office of the mayor

August 9, 1976

FORT WAYNE, IND.
RECEIVED
AUG 10 1976
CHARLES W. WESTERMAN
CITY CLERK

TO: All Civil City and City Utilities Department Heads

SUBJECT: Equal Employment Opportunity Policy

This will serve to reiterate the policy of the City of Fort Wayne, Indiana, and the management of its facilities, to work continually toward improving employment, development, and promotional opportunities for minority employees and for women. Certainly, one of the most complex and tragic problems which confronts our City and our Nation today, is the absence of true equal opportunity for all people, without regard to race, color, religion, sex, age, physical handicap, or national origin.

While there have been civil rights laws enacted during the past decades to assure such equality, many individuals and institutions have been negligent in their determination toward meeting the requirements of these laws to the extent that equal opportunity for all people, in fact, is not a reality. Consequently, the denial of equal access to opportunities for development and growth has permitted discrimination to continue in a variety of forms. This means that proposed remedies must go beyond the mere announcement of an equal opportunity policy. Management at all levels of City government must recognize and accept our responsibility to design and implement programs which strike at the total problem rather than simply overt manifestations.

In a similar manner, women have found themselves locked into sexual role stereotypes which have acted to exclude their full participation in the mainstream of the working world. Attitudes toward women have prevented women from realizing their full potential and achieving equality within the institutions of society.

We must, therefore, strive aggressively to ensure the entry and growth of minorities and women in our work force until it is emphatically clear that equality of opportunity for ALL employees of the Civil City and City Utilities is a fact, as well as an ideal. To achieve ultimate effectiveness in this matter, our efforts toward equal opportunity for all people in our employment must extend above and beyond the letter of the law -- that is, total commitment to the goal on the part of every department head and every Civil City and City Utilities employee.

Your cooperation and effective support in Equal Employment Opportunity, through Affirmative Action program efforts, is essential in assuring equal employment opportunities in all City operating facilities. Keep in mind that "Affirmative Action" implies "going beyond" mere non-discrimination and that I shall expect FULL, EFFECTIVE COOPERATION FROM EACH OF YOU, to the end that Equal Employment Opportunity for ALL employees will be the "hallmark" of every department.

It is my desire that you, as Department Heads, study and take action on your Affirmative Action program. Its implementation represents what you should consider a top priority goal for your department and you will be measured on how effectively the program is implemented in your area of responsibility.

Sincerely,

Robert E. Armstrong
Mayor

REA:ip
8/9/76

MADE A MATTER OF RECORD
DATE 8/10/76 CHARLES W. WESTERMAN, CITY CLERK

FORT WAYNE
REDEVELOPMENT
COMMISSION

COMMISSIONERS
Leonard M. Weinraub
Hana L. Stith
Robert W. Hutner
Henry F. Rood
John L. Andreas

TRUSTEES
Jerome J. O'Dowd
John D. Shoaff
Emily Bedree
Melvin H. Borcherding
Oren L. Collins

One Main Street · City-County Building · Fort Wayne, Indiana 46802 · 219/423-7564

August 9, 1976

Mr. James S. Stier
President of City Council
3404 Congress Avenue
Fort Wayne, Indiana 46806

RE: Central Business District Advisory Committee

Dear Mr. Stier:

The Redevelopment Commission is ready to begin an intensive ten (10) week period of planning to prepare an improvements program for downtown Fort Wayne. This effort will result in a series of specific project recommendations supported by sufficient information to indicate priorities, feasibilities, costs, physical and economic impacts, and steps to be taken to implement the projects.

To help formulate this improvements program, a special CBD Advisory Committee should be formed to work with the Commission. This would be a working committee to provide advice on the revitalization program and its specific projects.

We request that Council support the formation of this Committee. Further, we request that you, as Council President, or your designated representative, be an active member of this Committee.

Sincerely yours,

Leonard M. Weinraub
President

LMW/mby

An Equal Opportunity Employer

COMMON COUNCIL REGULAR SESSION ---AUGUST 10, 1976

City of Fort Wayne)
)
County of Allen) ss:
)
State of Indiana)

I, CHARLES W. WESTERMAN, Clerk of the City of Fort Wayne, hereby attest that Bill No. A-76-07-28, was placed in the Common Council "HOLD FILE" by the Chairman of the Finance Committee for further information and to be brought out for discussion at the next Common Council meeting dated August 24, 1976.

Charles W. Westerman
City Clerk

RE: CENTRAL BUSINESS DISTRICT ADVISORY COMMITTEE

James S. Stier, President of Common Council so ordered at the meeting of August 10, 1976, that at the next Regular Session appointments to the Central Business District Advisory Committee will be made.

James S. Stier, President of Common Council read the communication from John M. Stein, PTC, regarding the resignation of Walter C. Raines, member of the Public Transportation Corporation Board of Directors.

A motion was made to wait until the next Common Council meeting to appoint someone to fill the unexpired term of Mr. Walter C. Raines, member of the Public Transportation Corporation Board of Directors.

Regular Session - August 10, 1976

Councilman Donald Schmidt made a motion to table Bill No. S-76-07-41. Councilman Fredrick Hunter seconded the motion.

Motion was passed by the following vote:

Ayes: Six
Nays: Three

Councilman William Hinga then requested that Bill No. S-76-07-41 be brought out on August 24, 1976 for reconsideration on motion to table.

RATIFICATION AND ELECTION OF APPOINTMENT

August 10, 1976

Common Council Regular Session
Council Chambers

The Common Council of the City of Fort Wayne, Indiana, held on the above date during the Regular Session of Common Council election for the purpose of appointing two members to the Greenfield Square Co-operative Board of Directors.

The President of Common Council called for nominations and he received the nominations of Helen Pickett and Shelby Board, from Councilman Nuckols, and seconded by Councilman Talarico. The Chair then recognized a move that nominations be closed by Councilman Hinga. Council cast an unanimous vote for both Helen Pickett and Shelby Board.

Therefore the election was confirmed, and Helen Pickett and Shelby Board, were duly appointed to the Greenfield Square Co-operative Board of Directors, by the Common Council.

ATTEST: Charles W. Westerman
City Clerk

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 10th day of August, 1976; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 1976.

_____

Charles W. Westerman
City Clerk